

# Western Carolinian.

BY JOHN BEARD, JR.]

It is even worse than the law which, however wise and good in itself, has the substance of inequality, which find no response in the heart of the citizen, and which will be evaded with little remorse. The wisdom of Legislation is especially seen in grafting laws on conscience. Dr. Canning.

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No. 699.

## INTERNAL IMPROVEMENT CONVENTION.

At a meeting of Delegates from several of the counties in the State convened in the Presbyterian Church, in the Town of Salisbury, on Thursday the 17th day of October, 1833, the convention was called to order by Genl. Thomas G. Polk, one of the Delegates from the County of Rowan, who moved that Saml. F. Patterson of the County of Wilkes, and John W. Huske of the County of Cumberland, be appointed secretaries, which motion being unanimously agreed to, they assumed the duties of their station accordingly.

On motion of Genl. Polk, the secretaries were requested to call over the names of the several counties in this State, when the following delegates appeared, produced their credentials, and took their seats, to wit: from

Anson—William H. Green.

Cabarrus—Paul Barringer, D. M. Barringer, A. C. McRee, Daniel Coleman, John Still, Charles W. Harris.

Cumberland—Edward L. Winslow, Louis D. Henry, John W. Huske, Duncan McCormick and James Seawell.

Fredell—James Campbell, Theophilus Falls, John Muehat, H. T. Stewart, David Ramsey, William King, Samuel King, Abner Franklin, J. P. Caldwell, and James A. King.

Montgomery—John B. Martin, Edmund D. Berry, Francis Locke, James L. Gaines, Edmund F. Lilly.

Mecklenburg—James W. Osborne, Franklin B. Smith.

Randolph—Henry B. Elliott.

Rowan—Spencer Taylor, James Cook, James Smith, Robert Macnamara, Dr. John Scott, Jesse W. Walton, C. Bringle, Saml. Linn, Noah Partee, Abel Graham, John A. Merony, Genl. T. G. Polk, Thos. L. Cowan, Burton Craige, Fielding Slater, Dr. L. Mitchell, Michael Brown, Henry Miller, Caspar Hultshouser, John McCulloch, R. M. Pearson and Dr. McInnes.

Stokes—John Gray Bynum.

Wilkes—Samuel F. Patterson, John

On motion of Mr. D. M. Barringer, His Excellency Governor Swain, one of the Delegates from the County of Wake was unanimously appointed President of the Convention, whereupon on motion of Mr. King, he was conducted to the chair by Mr. Seawell, from whence he stated the objects of the meeting in a succinct and suitable address.

Mr. Craige presented the following resolution, to wit:

"Resolved, That a standing committee consisting of one member from each county represented in this Convention, be appointed by the chair to whom all resolutions submitted to this convention shall be referred, and that said committee report to an adjourned meeting of this body," which was unanimously agreed to.

Whereupon the following persons were appointed to compose the said committee, to wit: Wm. H. Green, Genl. P. Barringer, Hugh McQueen, Saml. King, Edmund Deberry, F. L. Smith, H. B. Elliott, Burton Craige, John G. Bynum, John Finley, and James Seawell.

Mr. Seawell presented the following resolution, to wit:

"Resolved, That it is the opinion of this convention, that the requisite efficiency of improving the internal condition of the State, must be found in the Legislature, and that where its citizens shall engage in any scheme of public improvement and shall pay, or secure to be paid, three fifths of the cost of such improvement, that the State shall pay the remaining two fifths for the completion of the same; provided always that the General Assembly shall judge of the feasibility and public utility or advantages of such work."

Mr. Muehat presented the following resolutions, to wit:

"Resolved, That, while with regret, and humiliation of feeling, we witness the present condition of our State as to internal improvement, we rejoice to see our citizens on this subject arousing from their lethargy and manifesting a spirit, which if promptly encouraged, and prudently directed, bids fair to elevate her to a standing among her sister States, to which the extent of her territory, the richness of her soil, and the salubrity of her climate entitle her."

"Resolved further, That it is both practicable and expedient thus to encourage, at this time, this spirit for internal improvement; and that if the present opportunity be neglected, there is great danger that many years will pass away, which, with their successive revolutions, will be accompanied with a decrease of population and even an entire abandonment of the finest, and choicest, portions of our State to waste and desolation."

"Resolved further, That among the different modes of facilitating internal communication in our own State, that by rail roads is to be preferred."

"Resolved further, That while we cannot but concede, and do so with cheerfulness, the right of all and every citizen to appropriate his money to whatever object of internal improvement his wisdom may direct, yet we deem it of high importance, and much to be desired, that the points where the intercommunication to be effected as contemplated in the system for the internal improvement of the State, be within its limits."

"Resolved further, That it be the duty of the members of this convention, laying aside all party feeling and sectional prejudice, to use all laudable endeavors, in their respective counties, to impress upon the minds of their fellow citizens the importance and necessity of prompt, active, and united exertion in advancing the cause of internal improvement."

"Resolved further, That in all cases in which responsible individuals shall subscribe three fifths of the amount necessary for the accomplishment of any particular object contemplated in the general system for improving the State, that then and in those cases, it be recommended to the Legislature to contribute the other two fifths for the accomplishment of said object, &c, if necessary, to borrow such sums of money as may be requisite to effect the same."

Mr. Smith presented the following resolutions, to wit:

"Resolved, That this convention recommend the chartering of any companies for the purpose of constructing rail roads leading to markets, either within or without the State, but it deprecates the suicidal policy of investing the funds of the State in any other than those leading to markets within the State."

Mr. Saml. King presented the seven last resolutions adopted by a convention held in Raleigh on the 4th day of July last, together with the address published by a committee of that body, to the people of the State on the subject of internal improvement.

These several resolutions, after being read, were referred to the standing committee appointed under the resolutions of

On motion of Mr. Henry, the convention then adjourned until 12 o'clock this day.

The convention met pursuant to adjournment. Archibald G. Carter, Robert N. Fleming and Rufus H. Kilpatrick, additional delegates from the County of Rowan, appeared and took their seats.

Mr. Seawell from the standing committee to which was referred the various resolutions submitted to the convention, made a report thereon accompanied by the following resolutions, to wit:

The General Committee to whom was referred the several Resolutions submitted for their consideration, beg leave to

REPORT,

That they have bestowed upon the important subjects submitted to them, such reflections as the time afforded your committee, has allowed. In the examination of which, they have endeavored to unite in a condensed form, the views and suggestions expressed in the several Propositions, so as to present to the convention the subject in a light best calculated to attain the great object in view. They therefore recommend the adoption of the following Resolutions:

1. Resolved, That in the opinion of this convention, due respect for the convention which is to assemble in Raleigh on the 4th Monday of November next, in which the whole State will be represented, requires that the particular scheme of Internal Improvement to be adopted, should be referred to that body.

2. Resolved, That such a system of improvement should be devised and prosecuted, as will be best calculated to develop the resources, and advance the character of the State of No. Ca.

3. Resolved, That notwithstanding the established conviction indulged in by this convention, that the most important benefit would flow from the construction of Rail-Roads wherever it may be desirable and practicable to do so in the State, yet, we are not insensible to the immense advantages which would result from the improvement of our channels of water communication, both by clearing them of their obstructions, and by connecting their waters, at suitable points, by the establishment of rail-roads, or canals.

4. Resolved, That the General Assembly ought, in the opinion of this convention, to provide by loan or otherwise, a fund that will enable the State to contribute substantial assistance in the prosecution of works of Internal Improvement.

5. Resolved, That, in the opinion of this convention, it is the duty of the State to aid and encourage the enterprise of her citizens, and this convention doth, therefore, respectfully recommend, that provisions be made by law for the State's subscribing two fifths of the stock in any company hereafter to be incorporated for internal improvements, whenever the other three fifths shall be paid, or secured to be paid, by individuals. But while we declare this opinion, we would also recommend to the Legislature to carry on, with the funds of the State alone, such a general system of internal improvements, as will comport with the character and dignity of the State.

6. Resolved, That to the successful prosecution of any system of internal improvement, it is essential that every section of the State should surrender local preferences to the general prosperity.

7. Resolved, That the Governor be requested to communicate the proceedings of this convention to the next General Assembly.

8. Resolved, That it be earnestly recommended to the citizens of the several counties in this State, to elect, or appoint, three delegates, not members of our assembly, from each county, to hold a convention in the city of Raleigh, on the fourth Monday in November next, to deliberate further upon the subject of internal improvements within the State.

9. Resolved, That the chairman of the convention appoint a committee consisting of one member from each delegation, to prepare and publish an address, to the citizens of the State, accompanying the proceedings of this convention.

All of which, is respectfully submitted. JAMES SEAWELL, Chairman.

Genl. Graham moved to amend the seventh resolution by inserting after the word delegates, the words "not members of assembly," which amendment was agreed to.

Mr. D. M. Barringer moved further to amend the resolutions, by inserting the following, after the fifth resolution, to wit:

"Resolved, That to the successful prosecution of any system of internal improvement, it is essential that every section of the State should surrender local preferences to the general prosperity."

Which amendment was also agreed to.

The resolutions as amended, were then severally read and adopted.

The resolution submitted by Mr. McQueen, in relation to amending the general road laws of the State, was then taken up and adopted.

On motion of Mr. Winslow,

"Resolved unanimously, that the thanks of this meeting be tendered to His Excellency David L. Swain, for the able and impartial manner in which he has discharged the duties of President of this convention."

On motion of Mr. Macnamara,

"Resolved, That the thanks of this convention are hereby tendered to the Secretaries thereof for the able and satisfactory manner in which they have performed their duties."

On motion of Genl. Polk,

"Resolved, That the thanks of this convention be presented to the Elders and Members of the Presbyterian Church in this place, for the use of the church during the deliberations of this convention."

On motion of Mr. Palmer,

"Resolved, That the proceedings of this convention be signed by the President and Secretaries, and be published in the several papers printed in this town, and that other editors throughout the State be requested to do the same."

On motion of Mr. D. M. Barringer, the convention adjourned, sine die.

D. L. SWAIN, President.

S. F. PATTERSON, } Secretaries.  
JOHN W. HUSKE. }

The following gentlemen were appointed a committee to prepare and publish an address to the people of the State, in obedience to the last resolution adopted by the convention, to wit:

Thos. G. Polk, chm'n. Joseph Graham, Wm. H. Green, John D. Boyd, Louis D. Henry, John G. Bynum, John Muehat, Edmund Deberry, Hugh McQueen, Edward B. Dudley, N. J. Palmer, Henry B. Elliott, S. F. Patterson.

From the United States Telegraph.

THE EXECUTIVE POWER.

The Globe, as a good subject, battles strong for the power of its master. It

however must, one would suppose, excite the suspicions of its readers to find vociferous democrats contending for power being invested in the Executive. We do not mean the "collar-men" who are its readers. They are bound, hand and foot, heart and soul, to whoever is in power, and must do as they are told, and see every thing as they are bid; but we allude to the honest portion of its readers, and surely it must have some. Must they not see that all is not right when they find the Government official, bawling out for democracy on one day, and then as loudly defending usurpations of power by the Executive.

In this the official is followed by the whole of the administration presses at the north, while at the south they reluctantly concur. With few exceptions, the usurpation is universally disapproved, and although the south may be said to be hostile to the bank, yet they will not approve of hostility being showed to it by acts alike inexpedient and usurping. The south has set an example of independence which the north does not seem inclined to follow. It is there viewed merely as a party measure, and all of one party approve, and all of the other disapprove. While at the south all parties disapprove.

In defending this usurpation of power on the part of the Executive, the Globe contends for his absolute control over the deposits, on the ground that the power to remove them is not a legislative or judicial power, but an executive one; and therefore all action on the subject must be in subordination to the will of the President, and that the Secretary cannot be made by Congress other than a mere agent of the President.

Who does not see that this in fact makes the President absolute, with no control over him but his own discretion, and the shadowy dread of impeachment; and that that is a shadow, and nothing but a shadow, none will pretend to deny.

The Globe at once cuts the knot, and contends that "the clause in the bank charter," which gives the power to the Secretary, is unconstitutional, if it confers that power on him "otherwise than as the agent of the President." This amount of this is that Congress can give no discretionary power whatever to any agent of the Government, nor prescribe to such, any duties, but what it will rest with the President to say whether he shall perform those duties or not, and how he shall perform them.

It is in vain that the Congress which organized the Treasury Department, endeavored to separate the Treasury from the Executive Departments. It is in vain that the Congress which chartered the bank, bestowed a discretionary power upon the Secretary in relation to the deposits, and made it rest upon his discretion whether they should be removed. The President, however, for the first time, disclaimed that these laws are unconstitutional, and has determined that he will be bound by them.

The powers of Congress and those of the President; between the will of the people and that of one man. Will Congress submit to this gross usurpation of their rights? Will they allow of this despotic control exercised over the purse of the nation, by one who already has its sword?

It must not be overlooked how easily this principle assumed by the Government may be extended. And the disposition to extend it has not even been concealed. The Government official and the collar press in general, have ventured to claim for the President the appellation of "the Government;" and all know the facility with which the thing follows the name. Let it be generally understood that "the Government" is the President, and in a short time it will be a reality.

Let all look at the assumption "on the part of the parasites of the Executive, and see to what it will extend. He claims the power of declaring unconstitutional acts of Congress passed years ago, and which have never been called in question. He claims the right of making war upon a sovereign State; and it must be recollected that this right is claimed, not upon the ground of carrying into effect a decision of the judiciary of the U. S. but as dependent upon his own discretion. He claims the right of setting aside both laws and treaties, not, it must be remembered, because they have been pronounced unconstitutional by sovereign States, but because it is his sovereign will and pleasure to declare them to be so. He claims the right of setting aside decisions of the Supreme Court, and refusing to carry them into effect, not because they are opposed by the sovereign power of a State, but because such is his will and pleasure.

Is this, we ask our readers, the Constitution of the United States? Is this the Government which the people and the States have formed? Or is it a total perversion of that Government?

Who is it that is not interested in bringing back the Government to its true principles, and in curtailing the overwhelming power in the Executive, which enables him to do these things with impunity? Do the democrats wish a continuance of these usurpations? Do the National Republicans wish it? Can they wish it, when they see what it has already produced, and what it must inevitably lead to? The friends of the purity of our institutions ought to unite, and put an end to this corruption and accumulation of Government power and patronage, which, if not checked, must end in the destruction of those institutions.

From the Fredericksburg Arena.

The President's Order in Council continues to be the subject of indignant comment. There are few of the more respectable, even of the Administration Journals which justify the measure. To us it appears that the removal of the Deposits, under the circumstances, and the doctrines

contained in the extraordinary document to which the President's name has been appended, are points entirely distinct from, and far more momentous, than the question of rechartering the Bank. Our country has gotten along and can get along, without a national Bank; but if the President's assumption of power is not rebuked by the people and their representatives, then are we rapidly gliding into despotism. The President has, at this moment, unlimited control of every cent of the public money. Upon his own construction of the law, if he were to entertain a doubt of the safety of all Banks, he would be justified in ordering the public treasure to be kept in the East Room—and, doubtless, if his present secretary should prove refractory, he might get another, who would sign the order for the transfer.

There can be no doubt as to the action of Congress on this subject.—They will promptly direct the return of the deposits to the Bank of the U. States. To prevent the exercise of the tyranny of the veto, they will possibly engrave the direction upon the General Appropriation Bill. Among the last proceedings of the House of Representatives, last winter, was the passage of a resolution, by an immense majority, declaring the confidence of that body in the Bank, as a place of deposit for the public moneys. It is not pretended that anything has occurred since to shake the confidence then expressed. We only fear that, short as the period will be, in which the deposits are made in the State Banks, no little will be lost by the rash and foolish experiment of withdrawing them from the Bank of the United States. We speak this, from recollection of the immense losses, experienced before the National Bank was in operation.

We have no doubt that the whole affair was a stock-jobbing transaction. We do not accuse the President of participating in it; but the high-handed and unlawful measure was forced upon him by those who did participate. The stock, most unfortunately for these political gamblers, has maintained its price, and indeed advanced; and instead of realizing thousands by the President's blow, now against the Bank, they will, in many instances, be losers.

Chancellor BROGHAN is a rare Lord. A British Senator's parliament fellow, and no other. The Tory razor cuts less than the Lib. razor.

Correspondent of the Times of 11. During the debate on the emancipation bill the Duke of Wellington had proposed an amendment to the bill, which Brogham very earnestly opposed, and was remarking upon the absolute freedom of the slaves whenever he touched the British soil. The Duke of Cumberland took occasion, it seems, to look forth from his smoking sarcophagus, and Brogham, without seeming to heed him, went on with his speech, till growing more earnest, he repeated with great emphasis that a slave, once landed in England, was ever afterwards to all intents and purposes a free citizen; and if the King please, says his Lordship, he may take his seat in this house with as much right as the Duke of Wellington, who is illustrious by his own deeds, or as the Royal Duke (of Cumberland) who is illustrious by courtesy. His Royal Highness of Cumberland winced under this, as well he might; and called the Lord Chancellor to order. The Lord Chancellor, however, maintained his ground, and the Duke had to march out of the house with an affix that he will carry with him to the grave. He will never again be illustrious, but by courtesy. [N. Y. Courier.]

The conference of London is composed of the following diplomats: For Austria, Prince Esterhazy, Baron Wessenburg, and Baron Neumann; for France, Prince Talleyrand, the Nestor of European diplomacy, with the aid of M. Durand de Mareuil; for Great Britain, Lord Aberdeen, and subsequently under Lord Grey, Lord Palmerston; for Prussia, Baron Bulow; for Russia, Prince Lieven and Count Matszewicz; for Holland, Baron Falk, who was subsequently succeeded by M. Zuylen de Nyevelt, and in March, 1833, by M. Dedel. The Belgic commissioners are Messrs. Van de Weyer and Hippolyte Vilain XIV; they are charged principally with the free navigation of the Scheldt, conformably with the treaty of Vienna and the affair of the duchy at Luxembourg.

WOMAN.

To the honor, to the eternal honor of the sex, be it said that in the path of duty no sacrifice is with them too high or too dear. Nothing is with them impossible, but to shrink from what love, honor, innocence, religion require.

The voice of pleasure or of power may pass by unheeded, but the voice of affection never. The chamber of the sick, the pillow of the dying, the vigils of the dead, the altars of religion, never fail to excite the sympathies of woman. Timid though she be, and so delicate that the winds of heaven may not too roughly visit her, yet she fears no danger, and dreads no consequences. Then she displays that undaunted spirit which neither courts difficulties nor evades them, that resignation which utters neither murmurs nor regret, and that patience in suffering, which seems victorious even over death itself.



## POLITICAL.

ANSWERS OF THE SEVERAL STATES  
LEGISLATURES  
To the Resolutions of Kentucky and  
Virginia, of 1798.

STATE OF DELAWARE.  
In the House of Representatives, Feb. 1,  
1799.

Resolved, By the Senate and House of  
Representatives of the State of Delaware,  
in General Assembly met, That they con-  
sider the Resolutions from the State of  
Virginia as a very unjustifiable inter-  
ference with the General Government and  
constituted authorities of the United States,  
and of dangerous tendency, and therefore  
not fit subject for the further consideration  
of the General Assembly.

ISAAC DAVIS,  
Speaker of the Senate.  
STEPHEN LEWIS,  
Speaker of the House of Rep's.  
Test: JOHN FISHER, C. S.  
JOHN CALDWELL, C. H. R.

STATE OF RHODE ISLAND AND  
PROVIDENCE PLANTATIONS.  
In General Assembly, Feb. A. D. 1799.

Certain Resolutions of the Legislature  
of Virginia, passed on 21st of December  
last, being communicated to this Assem-  
bly:

1. Resolved, That, in the opinion of this  
Legislature, the second section of third ar-  
ticle of the Constitution of the United  
States, in these words, to wit: "The judi-  
cial power shall extend to all cases arising  
under the laws of the United States,"  
vests in the Federal Courts exclusively,  
and in the Supreme Court of the United  
States ultimately, the authority of decid-  
ing on the constitutionality of any Act or  
Law of the Congress of the United States.

2. Resolved, That for any State Legisla-  
ture to assume that authority, would be,  
1st. Blending together legislative and  
judicial powers.

2d. Hazardous, an interruption of the  
peace of the State, by civil discord, in  
case of a diversity of opinions among the  
State Legislatures; each State having, in  
that case, no resort for vindicating its own  
opinions, but to the strength of its own  
arm.

3d. Submitting most important questions  
of law to less competent tribunals; and  
4th. An infraction of the Constitution  
of the United States, expressed in plain  
terms.

3. Resolved, That although for the  
above reasons, this Legislature, in their  
public capacity, do not feel themselves au-  
thorized to consider and decide on the con-  
stitutionality of the Sedition and Alien Laws  
(so called) yet they are called upon, by  
the exigency of this occasion, to declare,  
that, in their private capacity, they do not  
concur in the opinions, these laws  
being powers delegated to Con-  
gress, and not to the States.

4. Resolved, That the Governor com-  
municate these Resolutions to the Supreme  
Executive of the State of Virginia, and at  
the same time express to him that this  
Legislature cannot contemplate, without  
extreme concern and regret, the many  
evil and fatal consequences which may flow  
from the very unwarrantable Resolutions  
aforesaid, of the Legislature of Virginia,  
passed on the twenty-first day of Decem-  
ber last.

A true copy, SAMUEL EDDY, Sec.

COMMONWEALTH OF MASSACHU-  
SETTS.

In Senate, February 9, 1799.

The Legislature of Massachusetts hav-  
ing taken into serious consideration the Re-  
solutions of the State of Virginia, passed  
the 21st day of December last, and com-  
municated by his Excellency the Govern-  
or, relative to certain supposed infrac-  
tions of the Constitution of the United  
States, by the Government thereof, and be-  
ing convinced that the Federal Constitu-  
tion is calculated to promote the happiness,  
prosperity, and safety, of the people of  
these United States, and to maintain that  
union of the several States, so essential to  
the welfare of the whole; and being bound  
by solemn oath to support and defend that  
Constitution, feel it unnecessary to make  
any professions of their attachment to it,  
or of their firm determination to support it  
against every aggression, foreign or do-  
mestic.

But they deem it their duty solemnly  
to declare, that, while they hold sacred  
the principle that consent of the People is  
the only pure source of just and legitimate  
power, they cannot admit the right of the  
State Legislatures to denounce the ad-  
ministration of that Government to which  
the People themselves, by a solemn com-  
pact, have exclusively committed their  
National concerns: That, although a li-  
beral and enlightened vigilance among the  
People is always to be cherished, yet an  
unreasonable jealousy of the men of their  
choice, and a recurrence to measures of ex-  
tremity, upon groundless or trivial pre-  
texts, have a strong tendency to destroy  
all rational liberty at home, and to deprive  
the U. States of the most essential ad-  
vantages in their relations abroad: That this  
Legislature are persuaded that the decen-  
tation of all cases in law and equity, arising  
under the Constitution of the United States,  
and the construction of all laws made in  
pursuance thereof, are exclusively vested  
by the People in the judicial courts of the  
United States.

That the People, in that solemn compact  
which is declared to be the supreme law  
of the land, have not constituted the State  
Legislatures the judges of the acts or mea-  
sures of the Federal Government, but  
have conferred to them the power of pro-

posing such amendments of the Constitu-  
tion as shall appear to them necessary to  
the interests or conformable to the wis-  
dom of the people whom they represent.

That, by this construction of the Con-  
stitution, an amicable and dispassionate  
remedy is pointed out for any evil which  
experience may prove to exist, and the  
peace and prosperity of the United States  
may be preserved without interruption.

But, should the respectable State of Vir-  
ginia persist in the assumption of the right  
to declare the acts of the National Govern-  
ment unconstitutional, and should she op-  
pose successfully her force and will to  
those of the nation, the Constitution would  
be reduced to a mere cypher, to the form  
and pageantry of authority, without the  
energy of power. Every act of the Fed-  
eral Government, which thwarted the  
views or checked the ambitious projects of  
a particular State, or of its leading and in-  
fluential members, would be the object of  
opposition and of remonstrance; while the  
People, convulsed and confused by the con-  
flict between the two hostile jurisdictions,  
enjoying the protection of neither, would  
be voyaged into a submission to some bold  
leader, who would establish himself on the  
ruins of both.

The Legislature of Massachusetts, al-  
though they do not themselves claim the  
right, nor admit the authority, of any of  
the State Governments, to decide upon the  
constitutionality of the Acts of the Fed-  
eral Government, still, least their silence  
should be construed into disapprobation, or  
at best into a doubt of the constitutionality  
of the acts referred to by the State of Vir-  
ginia; and as the General Assembly of  
Virginia has called for an expression of  
their sentiments, do explicitly declare,  
that they consider the Acts of Congress,  
commonly called "the Alien and Sedition  
Acts," not only constitutional, but expedi-  
ent and necessary: That the former Act  
respects a description of persons whose  
rights were not particularly contemplated in  
the Constitution of the United States, who  
are entitled only to a temporary protec-  
tion, while they yield a temporary al-  
legiance; a protection which ought to be  
withdrawn whenever they become "dan-  
gerous to the public safety," or are found  
guilty of "treasonable machinations" against  
the Government: That Congress, having  
been especially entrusted by the people  
with the general defence of the nation, had  
not only the right, but were bound, to pro-  
tect it against internal as well as external  
foes: That the United States, at the time  
of passing the Act concerning Aliens,  
were threatened with actual invasion, had  
been driven by the unjust and ambitious  
conduct of the French Government into  
warlike preparations, expensive and bur-  
densome, and had then within the borders  
of the country, thousands of aliens, who,  
we deem it needless to say, were not ready to co-operate in  
any external attack.

It cannot be seriously believed, that the  
United States should have waited till the  
powers delegated to Congress, and not to the  
States, were actually invaded, before they  
should have taken any measures for their  
protection: That the Government, in the  
exercise of its powers, is justified by the in-  
alienable rights of nations. Actual hostility  
had unhappily long been experienced, and a  
formal declaration of it the Government  
had reason daily to expect. The law,  
therefore, was just and salutary, and no  
officer could with so much propriety be  
entrusted with the execution of it, as the  
one in whom the Constitution has reposed  
the executive power of the United States.

The Sedition Act, so called, is, in the  
opinion of this Legislature, equally defen-  
sible. The General Assembly of Vir-  
ginia, in their resolve under consideration,  
observe, that when that State, by its Con-  
vention, ratified the Federal Constitution,  
it expressly declared "That, among other  
essential rights, the liberty of conscience  
and of the press cannot be cancelled, abrid-  
ged, restrained or modified, by any au-  
thority of the United States," and from its  
extreme anxiety to guard these rights from  
every possible attack of sophistry or am-  
bition, with other States, recommended an  
amendment for that purpose: which amend-  
ment was, in due time, annexed to the  
Constitution; but they do not surely ex-  
pect that the proceedings of their State  
Convention were to explain the amend-  
ment adopted by the Union. The words  
of that amendment, on this subject, are,  
"Congress shall make no law abridging the  
freedom of speech or of the press."

The Act complained of is no abridgment  
of the freedom of either. The genuine  
liberty of speech and the press, is the li-  
berty to utter and publish the truth; but the  
constitutional right of the citizen to utter  
and publish the truth, is not to be con-  
founded with the licentiousness in speak-  
ing and writing that is only employed in  
propagating falsehood and slander. This free-  
dom of the press has been explicitly se-  
cured by most, if not all, the State Consti-  
tutions; and of this provision there has  
been generally but our construction among  
enlightened men: that it is a security for  
the rational use and not the abuse of the  
press; of which the courts of law, the ju-  
ries, and people, will judge; this right is  
not infringed, but confirmed and estab-  
lished, by the late Act of Congress.

By the Constitution, the legislative, ex-  
ecutive and judicial departments of Govern-  
ment are created and established; and  
general enumerated powers vested in them  
respectively, including those which are  
prohibited to the several States. Certain  
powers are granted, in general terms, by  
the people, to their General Government  
for the purposes of their safety and protec-  
tion. The Government is not only em-  
powered, but it is made their duty, to re-  
pel invasions and suppress insurrections;  
to guarantee to the several States a repub-  
lican form of government; to protect each  
State against invasion, and, when applied  
to, against domestic violence; to hear and  
decide all cases, in law and equity, arising  
under the Constitution, and under any  
treaty or law made in pursuance thereof;  
and all cases of admiralty and maritime  
jurisdiction, and relating to the law of na-

tions. Whenever, therefore, it becomes  
necessary to effect any of the objects so  
signified, it is perfectly consonant to all just  
rules of construction to infer that the ex-  
ecutive means and powers necessary to the at-  
tainment of that object are also granted: But  
the Constitution has left no occasion to  
resort to implication for these powers; it  
has made an express grant of them, in  
the 8th section of the first article, which  
ordains "That Congress shall have power  
to make all laws which shall be necessary  
and proper for carrying into execution the  
foregoing powers, and all other powers  
vested by the Constitution in the Govern-  
ment of the United States or in any de-  
partment or officer thereof."

This Constitution has established a Su-  
preme Court of the United States, but has  
made no provision for its protection, even  
against such improper conduct, in its pre-  
sence, as might disturb its proceedings, un-  
less expressed in the section before recited.  
But as no statute has been passed on this  
subject, this protection is, and has been for  
nine years past, uniformly found in the ap-  
plication of the principles and usages of the  
common law. The same protection may  
unquestionably be afforded by a statute  
passed in virtue of the before mentioned  
section, as necessary and proper for carry-  
ing into execution the powers vested in that  
department. A construction of the differ-  
ent parts of the Constitution, perfectly just  
and fair, will, on analogous principles, ex-  
tend protection and security, against the  
offences in question, to the other depart-  
ments of Government, in discharge of their  
respective trusts.

The President of the United States is  
bound, by his oath "to preserve, protect,  
and defend the Constitution," and it is ex-  
pressly made his duty "to take care that  
the laws be faithfully executed;" but this  
would be impracticable by any created be-  
ing, if there could be no legal restraint of  
these scandalous misrepresentations of his  
measures and motives, which directly tend  
to rob him of the public confidence. And  
equally impotent would be every other  
public officer, if thus left to the mercy of  
the seditions.

It is held to be a truth most clear,  
that the important trusts before enumera-  
ted cannot be discharged by the govern-  
ment to which they are committed, with-  
out the power to restrain seditious prac-  
tices and unlawful combinations against it-  
self, and to protect the officers thereof from  
abusive misrepresentations. Had the Con-  
stitution withheld this power, it would have  
made the government responsible for the  
effects, without any control over the causes  
which naturally produce them, and would  
have essentially failed of answering the  
great ends for which the People of the  
United States declare, in the first clause of  
that instrument, "To form a more perfect  
union, establish justice, insure domestic  
tranquillity, provide for the common de-  
fence, promote the general welfare, and se-  
cure the blessings of liberty to ourselves  
and our posterity."

Seditious practices and unlawful com-  
binations against the Federal Government,  
or any officer thereof, in the performance  
of his duty, as well as licentiousness of  
speech and of the press, were punishable  
on the principles of common law in the  
courts of the United States, before the Act  
in question was passed. This Act then is  
an amelioration of that law in favor of the  
party accused, as it mitigates the punish-  
ment which that authorities, and admits of  
any investigation of public men and mea-  
sures which is regulated by truth. It is  
not intended to protect men in office, only  
as they are agents of the people. Its ob-  
ject is to afford legal security to public  
offices and trusts created for the safety and  
happiness of the people, and therefore the  
security derived from it is for the benefit of  
the people, and is their right.

This construction of the Constitution and  
of the existing law of the land, as well as  
the Act complained of, the Legislature of  
Massachusetts most deliberately and firmly  
believe, results from a just and full view  
of the several parts of the Constitution; and  
they consider that Act to be wise and ne-  
cessary, as an audacious and unprincipled  
spirit of falsehood and abuse had been too  
long unremotely exerted for the purpose  
of perverting public opinion, and threat-  
ened to undermine and destroy the whole  
fabric of government.

The Legislature further declare, that in  
the foregoing sentiments they have ex-  
pressed the general opinion of their consti-  
tuents, who have not only acquiesced, with-  
out complaint, in those particular measures  
of the Federal Government, but have given  
their explicit approbation, by re-electing  
those men who voted for the adoption of  
them. Nor is it apprehended that the citi-  
zens of this State will be accused of un-  
suspiciousness or of an indifference to their  
constitutional rights; for, while on the one  
hand they regard with due vigilance the  
conduct of the Government; on the other,  
their freedom, safety, and happiness, re-  
quire that they should defend that Govern-  
ment and its constitutional measures against  
the open or insidious attacks of any foe,  
whether foreign or domestic.

And, lastly, that the Legislature of Mas-  
sachusetts feel a strong conviction that the  
several United States are connected by a  
common interest, which ought to render  
their union indissoluble, and that this State  
will always co-operate with its confederate  
States in rendering that union productive  
of mutual security, freedom, and happi-  
ness.

SAMUEL PHILIPS, President.  
Sent down for concurrence.  
In the House of Representatives, Feb.  
13, 1799. Read and concurred.

EDWARD H. ROBBINS, Speaker.  
A true copy.—Attest, JOHN AVERY, Sec.

STATE OF NEW YORK.

In Senate, March 5, 1799.

Whereas the people of the United States  
have established for themselves a free and

independent National Government: And  
whereas it is essential to the existence of  
every government, that it have authority  
to defend and preserve its constitutional  
powers, inviolate, inasmuch as every in-  
fringement thereof tends to its subversion:  
And whereas the judicial power extends  
expressly to all cases of law and equity  
arising under the Constitution and the Laws  
of the United States, whereby the inter-  
ference of the Legislatures of the particu-  
lar States in those cases is manifestly ex-  
cluded: And whereas our peace, prosper-  
ity, and happiness, eminently depend on  
the preservation of the Union, in order to  
which, a reasonable confidence in the con-  
stituted authorities and chosen representa-  
tives of the people is indispensable: And  
whereas every measure, calculated to  
weaken that confidence, has a tendency to  
destroy the usefulness of our public func-  
tionaries, and to excite jealousies equally  
hostile to rational liberty and the prin-  
ciples of a good republican government: And  
whereas the Senate, not perceiving that the  
rights of the particular States have been  
violated, nor any unconstitutional powers  
assumed by the General Government,  
cannot forbear to express the anxiety  
and regret with which they observe the  
inflammatory and pernicious sentiments  
and doctrines which are contained in the  
Resolutions of the Legislatures of Vir-  
ginia and Kentucky—sentiments and doctrines  
no less repugnant to the Constitution of the  
United States, and the principles of their  
union, than destructive to the Federal Gov-  
ernment, and unjust to those whom the  
people have elected to administer it;  
wherefore,

Resolved, That, while the Senate feel  
themselves constrained to bear unequivocal  
testimony against such sentiments and  
doctrines, they deem it a duty no less in-  
dispensable explicitly to declare their in-  
competency, as a branch of the Legislature  
of this State, to supervise the acts of the  
General Government.

Resolved, That his Excellency the Gov-  
ernor be, and he is hereby, requested to  
transmit a copy of the foregoing resolution  
to the Executives of the States of Virginia  
and Kentucky, to the end that the same  
may be communicated to the Legislatures  
thereof.

A true copy.

AM. B. BAUCKER, Clerk.

STATE OF CONNECTICUT.

At a General Assembly of the State of  
Connecticut, holden at Hartford on the  
said State, on the second Thursday of  
May, Anno Domini 1799, his Excellency  
the Governor having communicated to this  
Assembly sundry Resolutions of the Leg-  
islature of Virginia, adopted in December  
1798, which relate to the measures of the  
General Government, and the said Resolu-  
tions having been considered: It is

Resolved, That this Assembly views  
with deep regret, and explicitly disavows,  
the principles contained in the aforesaid  
Resolutions, and particularly the opposi-  
tion to the "Alien and Sedition Acts"—  
Acts which the Constitution authorized:  
which the exigency of the country render-  
ed necessary; which the constituted au-  
thorities have enacted, and which merit the  
entire approbation of this Assembly.—  
They, therefore, decidedly refuse to con-  
cur with the Legislature of Virginia, in  
promoting any of the objects attempted in  
the aforesaid Resolutions.

And it is further  
Resolved, That his Excellency the Gov-  
ernor be requested to transmit a copy of  
the foregoing resolution to the Governor of  
Virginia, that it may be communicated to  
the Legislature of that State.

Passed in the House of Representatives  
unanimously.

Attest, JOHN C. SMITH, Clerk.

Concurred unanimously in the Upper  
House.

Teste, SAM. WELLES, Sec'y.

STATE OF NEW HAMPSHIRE.

In the House of Representatives, June 14,  
1799.

The committee to take into considera-  
tion the Resolutions of the General Assem-  
bly of Virginia, dated December 21st,  
1798; also certain Resolutions of the Leg-  
islature of Kentucky, of the 10th Novem-  
ber, 1798, report as follows:

The Legislature of New Hampshire  
having taken into consideration certain  
Resolutions of the General Assembly of  
Virginia, dated December 21, 1798; also  
certain Resolutions of the Legislature of  
Kentucky, of the 10th of November, 1798:

Resolved, That the Legislature of New  
Hampshire unequivocally express a firm  
resolution to maintain and defend the Con-  
stitution of the United States, and the Con-  
stitution of this State, against every ag-  
gression, either foreign or domestic, and  
that they will support the Government of  
the United States in all measures warrant-  
ed by the former.

That the State Legislatures are not the  
proper tribunals to determine the constitu-  
tionality of the Laws of the General Gov-  
ernment—that the duty of such decision  
is properly and exclusively confined to the  
judicial department.

That if the Legislature of New Hamp-  
shire, for mere speculative purposes, were  
to express an opinion on the Acts of the  
General Government, commonly called  
"the Alien and Sedition Bills," that opin-  
ion would unnecessarily be, that those Acts  
are constitutional, and, in the present crit-  
ical situation of our country, highly expe-  
dient.

That the constitutionality and expedi-  
ency of the Acts aforesaid have been very  
ably advocated and clearly demonstrated  
by many citizens of the United States,  
more especially by the minority of the  
General Assembly of Virginia. The Leg-  
islature of New Hampshire, therefore,  
deem it unnecessary, by any train of argu-  
ments, to attempt further illustration of the  
propositions, the truth of which, it is con-

fidently believed, at this day is very gen-  
erally seen and acknowledged.

Which report being read and considered,  
was unanimously received and accepted,  
one hundred and thirty seven members  
being present.

Sent up for concurrence.

JOHN PRENTICE, Speaker.

In Senate, same day, read and concurred  
unanimously.

AMOS SHEPARD, President.

Approved, June 15th, 1799.

J. T. GILMAN, Governor.

A true copy.—Attest,

JOSEPH PEARSON, Secretary.

STATE OF VERMONT.

In the House of Representatives, October  
30th, A. D. 1799.

The House proceeded to take under  
their consideration the Resolutions of the  
General Assembly of Virginia, relative to  
certain measures of the General Govern-  
ment, transmitted to the Legislature of this  
State, for their consideration: Where  
upon,

Resolved, That the General Assembly  
of the State of Vermont do highly disap-  
prove of the resolutions of the General As-  
sembly of Virginia, as being unconstitu-  
tional in their nature, and dangerous in  
their tendency. It belongs not to State  
Legislatures to decide on the constitution-  
ality of laws made by the General Govern-  
ment; this power being exclusively vested  
in the judiciary courts of the Union: That  
his Excellency the Governor be requested  
to transmit a copy of this resolution to the  
Executive of Virginia, to be communicated  
to the General Assembly of that State:  
And that the same be sent to the Governor  
and Council for their concurrence.

SAMUEL C. CRAFTS, Clerk.

In Council, October 30, 1799: Read and  
concurred unanimously.

RICHARD WHITNEY, Secretary.

FROM THE N. Y. COURIER & ENQUIRER.

When our Executive department was  
established, it was intended to be simply  
what the word imports; and to aid the Ex-  
ecutive in the discharge of his duties,  
Congress established "an Executive De-  
partment of Foreign Affairs" (afterwards  
changed to "Department of State"), "an  
Executive Department to be denominated  
the Department of War," "an Executive  
Department to be denominated the Navy  
Department," and a "Treasury Depart-  
ment." Let the reader here mark the  
difference in the titles of the several De-  
partments, and he will at once perceive,  
that the wisdom which organized our gov-  
ernment, foresaw the dangers which  
might arise from placing the purse strings  
of the nation in the same hands with the  
Executive power, and most prudently  
guarded against it. They expressly pro-  
vided, therefore, that while the State, War,  
and Navy Departments, should be denomi-  
nated Executive Departments, the Depart-  
ment of the Treasury should be denomi-  
nated the Department of the Treasury.

chief thereof be required to perform such  
duties as shall from time to time be enjoined  
upon them by the President, and to re-  
port annually to the President as the chief  
Executive officer,—the word "Executive"  
should not appertain to the Treasury; but  
that that officer should emphatically be  
the head of "the Treasury Department." And  
it make him independent of, and distinct  
from, the President and the other De-  
partments, it was expressly provided that  
he should make his annual report direct to  
Congress itself, instead of the President, as  
in the case of the Executive Departments  
of the Government. Was it possible to  
guard more carefully against any inter-  
ference on the part of the President with the  
Treasury? Or could they have more  
clearly evinced, their determination to  
place the Treasury Department beyond the  
control of the Executive, and preserve its  
purity and accountability uncontaminated  
by Executive influence, by specially  
requiring that for all his measures, the  
chief of the Treasury should be responsible  
to the Representatives of the people, and  
not to the President.

But to illustrate this subject more clear-  
ly, let us refer to the Journals of the first  
Congress after the adoption of the Consti-  
tution. Congress assembled on the 4th  
March, 1799, and in consequence of a quorum  
not being present, they adjourned  
from day to day until the 1st of April; on  
which day a quorum appeared, and the  
business of the session commenced. On  
the 21st May, the following resolution was  
adopted and referred to a committee of  
eleven, among whom was the venerable J.  
MADISON:

"Resolved, That it is the opinion of  
this committee, that there ought to be es-  
tablished the following Executive Depart-  
ments, to wit: A Department of Foreign  
Affairs, at the head of which shall be an of-  
ficer to be called Secretary to the United  
States for the Department of Foreign Af-  
fairs, removable by the President; a Treas-  
ury Department, at the head of which  
shall be an officer to be called Secretary  
to the United States for the Treasury De-  
partment, removable by the President; a  
Department of War, at the head of which  
shall be an officer to be called Secretary to  
the United States for the Department of  
War, removable by the President."

[Our readers will find the authority for  
this in the Journals of the House of Rep-  
resentatives, 1799, vol. 1, page 39.]

On the 2nd June, we find the following:  
"Mr. Baldwin, from the committee ap-  
pointed, presented, according to order, a  
bill to establish an Executive Department,  
to be denominated the Department of War;  
which was received and read the first  
time."

"Mr. Baldwin, from the committee ap-  
pointed, presented, according to order, a  
bill to establish an Executive Department,  
to be denominated the Department of For-  
eign Affairs; which was received and read  
the first time."

[Our authority for this is the Journals  
of the House of Representatives, 1799,  
vol. 1, page 44.]

On the 4th June the following was  
made upon the Journals:

"Mr. Baldwin, from the committee ap-  
pointed, presented, according to order, a  
bill to establish an Executive Department,  
to be denominated the Treasury Depart-  
ment; which was received and read the  
first time." [See 1st vol. of the Journals  
of 1799, page 45.]

The Bills organizing the War and  
Treasury Departments as "Executive" Depart-  
ments were immediately passed and sent to  
the Senate for concurrence, and each of the  
bills became a law in the following words:  
"Be it enacted, &c. That there shall be  
an Executive Department of War; to be  
denominated the Department of War; to be  
headed by the Secretary for the Department  
of War, who shall perform and execute such  
duties as shall from time to time be en-  
joined on, or entrusted to him by the Pres-  
ident of the United States."

Furthermore, that said principal officer shall  
conduct the business of the said Depart-  
ment, in such manner as the President of  
the United States shall from time to time  
order or instruct."

[See Laws of U. S. vol. 1, chap. 11,  
sec. 1st, page 30.]

The acts establishing the War and State  
Departments as "Executive" Departments  
passed without opposition, but the title of  
the act in relation to the Treasury Depart-  
ment was changed, and all its provisions  
fully and freely discussed and altered. On  
its reaching the Senate, it there passed  
through the same ordeal, and many amend-  
ments were proposed and adopted, in  
some of which the House of Representa-  
tives refused to concur; and in conse-  
quence, a committee of conference was ap-  
pointed, of which Mr. MADISON was one.  
This conference continued till the 20th  
August, when Mr. MADISON made a report  
stating that the committee could not agree,  
and introduced a resolution which was  
adopted, declaring that the House would  
not recede from its position.

[See Journals of House of Reps. 1799,  
vol. 1, page 89.]

In consequence of this resolution, the  
Senate, after great consideration, yielded to  
the House, and the Bill organizing the  
Treasury Department of the United States  
became a law on the 2nd September, 1799,  
under the title of "an act to establish the  
Treasury Department" while the law in  
relation to the War and State Departments  
are each entitled "An act to establish an  
Executive Department to be denominated  
the Department of (War or) Foreign Af-  
fairs."

Mr. JACKSON—not the present Exe-  
cutive—said, on this subject, "If the Pres-  
ident has the power of removing all officers  
who may be virtuous enough to oppose  
base measures, what would become of the  
Liberty of our people?—Your Treasury  
would fall into his hands, for nobody  
would be able to resist him."

power of removing whom he pleased from  
office, you will give him a complete con-  
trol over the whole treasury department.  
Having got the sword, give him the point  
with the army and navy, and what is left  
for him to require with the command  
of the strong box? He would be able to  
raise up a legion of officers, who would  
support his measures, secure his election,  
and thus perpetuate his political en-  
slavement." When speaking of the opposition  
of the people to the grant of such a power,  
he said, "We know well how much they  
dread from the accumulation of power in  
the hands of the President; not that they  
fear the exercise of it by a Washington,  
but the time may come when venality will  
subtly insinuate and diffuse itself through  
the system, and corrupt the whole con-  
stitution, destroying its beauty, consuming  
its spirit, and subverting its frame: The  
time will come that the patriotic heart  
will sincerely lament the legislative ef-  
fusions of an ungoverned moment." [See  
Lloyd's Debates, 1799, pages 544 and  
574.]

We have already given the provisions  
of this act, showing the dependence of  
these Departments upon the Executive,  
and will now quote the first and second  
sections of the "act to establish the Treas-  
ury Department." They are in the fol-  
lowing words:

"SECTION 1. Be it enacted by the Sen-  
ate and House of Representatives of the  
United States of America, in Congress  
assembled, That there shall be a depart-  
ment of Treasury, in which shall be the  
following officers, namely: a Secretary of  
the Treasury, to be deemed head of the  
department; a Comptroller, an Auditor,  
a Treasurer, a Register, and an Assessor;  
the Secretary of the Treasury, which As-  
sistant shall be appointed by the said Sen-  
ate and House of Representatives."

SECTION 2. And be it further enacted,  
That it shall be the duty of the Secretary  
of the Treasury to digest and prepare  
plans for the improvement and manage-  
ment of the revenue, and for the support  
of public credit; to prepare and report  
statements of the public revenue; and the  
public expenditures; to superintend the col-  
lection of the revenue; to decide on the  
forms of keeping and stating accounts of  
income returns, and to grant under the  
limitations herein established, or to be here-  
after provided, all warrants for money to  
be issued from the Treasury, in pursuance  
of appropriations by law; to execute ser-  
vices relative to the sale of the lands be-  
longing to the United States, as may be  
law required of him; to make reports, and  
give information to either branch of the  
Legislature, in person or in writing, as  
may be required, respecting all matters  
referred to him by the Senate or House  
of Representatives, or which shall appear  
to his office; and generally to perform  
such services relative to the finances, as  
shall be directed to perform. [See  
Laws of U. S. 1799, Vol. 1, Chapter 24, p.  
35.]



On the subject of removing a President from office, we remark as follows:

Mr. Madison said he was willing the power should be given to the President to remove the President. Representatives could remove a President for any abuse of power. "He will be impeached," said he. "by this House for such an act of maladministration; for I contend that the removal of a President is a removal from office, and removal from office is removal from office. But what can be his motives for displacing a worthy man? It must be that he may fill the place with an unworthy creature of his own. Can he accomplish his end? No; he can place no man in the vacancy whom the Senate shall not approve." [See Lloyd's Congressional Register of Debates, 1789, Vol. 1, Page 505.]

Mr. PAGE, who was one of the most pure and virtuous of the Congress of 1789, had a more correct view than Mr. Madison, of the dangers to be apprehended. He advocated making the removal of an officer the joint act of the President and Senate, and contended that according to the Constitution no officer could be removed but by the sanction of the Senate. He said a popular President may be induced to believe that it would be best for the general interest that the Senate should be destroyed; but as long as we have that body independent of him and secured in their authority, we may defy such impotent attempts. But if you take from them their right to check the President in the removal of officers, they cannot prevent the dismissal of a faithful servant who has opposed the arbitrary mandates of an ambitious President. [See Lloyd's Debates, 1789, Pages 329-30.]

From the National Intelligencer.  
From our old correspondent of "Arlington."—G. W. CUSTIS, Esq.

### THE HUNTING SHIRT.

SMALLWOOD'S REGIMENT.

The following interesting reminiscence of the Days of '76, with a graphic description of a Corps that was composed of the chivalry of Maryland, and formed the very elite of the Army of Independence, in the memorable campaign of 1776, will we are assured be read with gratification by all Americans.

These details are selected from among a series of papers, furnished by our venerable neighbor and revolutionary veteran, Major Adlum, to Mr. CUSTIS, of Arlington, for the latter gentleman's work, "The Private Memoirs of Washington."

"Smallwood's Regiment arrived in Philadelphia about the middle of July, 1776, the day after the militia of Yorktown got there. I happened to be in York Street when the regiment was marching down it. They turned up Front Street, till they reached the Quaker Meeting House, called the Bank Meeting, where they halted for some time. When they started, owing to a delirious on the part of the officers, seeing they were about to be quartered in a place of worship. After a time, they moved forward to the door, when the officers halted, and their platoons came up, and stood with their hats off, while the soldiers, with recovered arms, marched into the meeting house. The officers then retired, and sought quarters elsewhere.

"The Regiment was then said to be eleven hundred strong, and never did a finer, more dignified, and braver body of men, face an enemy. They were composed of the flower of Maryland, being young gentlemen, the sons of opulent planters, farmers, and mechanics. From the Colonel to the private, all were attired in Hunting Shirts. I afterwards saw this brave regiment march to join General Washington.

"In the battle of Long Bank, Smallwood's Regiment, when engaged with an enemy of overwhelming force, displayed a courage and discipline that sheds upon its memory an undimmed lustre, while it was so cut to pieces, that the October following, when I again saw the Regiment, its remains did not exceed a hundred men.

"Captain Edward de Courcy, Captain Herbert, a Captain, and a Doctor Stuart, of Smallwood's, were among the prisoners taken at Long Island, with whom I became acquainted, while I was a prisoner in New York.

"The wreck of the once superb regiment of Smallwood fought in the battles of the White Plains and the subsequent actions in the Jerseys, in the memorable campaign of 1776, terminating with the battle of Princeton, Jan. 77, where the remains of the regiment, reduced to little more than a company, was commanded by Captain, afterwards Governor Stone, of Maryland."

(NOTE BY MR. CUSTIS.)  
The Hunting Shirt, the emblem of the Revolution, is banished from the national military, but still lingers among the hunters and pioneers of the far West. This national costume, properly so called, was adopted in the outset of the Revolution, and was recommended by Washington to his army, in the most eventful period of the war of Independence. It was a favorite garb with many of the officers of the line, particularly the gallant Colonel Josiah Parker.

When Morgan's Riflemen, made prisoners at the assault on Quebec, in 1775, were returning to the South to be exchanged, the British garrisons on the route beheld with wonder these sons of the mountain and the forest. Their hardy looks, their tall athletic forms, their marching always in Indian file, with the light and careless step peculiar to their pursuit of woodland game; but, above all, to European eyes, their singular picturesque costume, the Hunting Shirt, with its fringes, the wampum belts, leggings and moccasins, which they worked with the Indian beads and Porcupine's quills of brilliant and varied

green, the tomahawk and knife; these, with the well known death-dealing arm of these matchless marksmen, created in the European military a degree of awe and respect for the Hunting Shirt, which lasted through the War of the Revolution.

That the fame of the powers of American woodsmen had not been effaced by time, let me instance the "ruse de guerre" most happily played off by a Yankee Captain upon a British Admiral during the last war.

A Captain G. had been taken by one of the vessels composing the Chesapeake squadron, and was carried on board the Admiral, who, after civilly treating his prisoner, one day observed, Pray, Captain G., if I should determine to make a reconnaissance up the Potomac, towards your Seat of Government, how many riflemen may I expect to find on the banks of the river, as my pilots tell me the channel way in some places runs near to the land. I do not mean your regulars, but those Hunting Shirt fellows from the woods who can hit any button on my coat, when they are in the humor of sharp shooting. Here the Yankee, being well awake to the importance of the question, as regarding his country's interests, went right to the windward of the Admiral at once. He looked grave, and began to reckon deliberately on his fingers; after a time, he replied, with perfect composure, Why, I guess somewhere about ten or eleven thousand, sir. The British in his turn looked grave, and turning to his officers, observed, I believe we will not go up at this time.

Not a long Rifle, that is, such as a Hunting Shirt would use, (for a genuine Tomahawk would not pick up in the street a short or jager piece,) was at the time within a hundred miles of the Potomac; and the Yankee well knew it; but finding that he had an opportunity of protecting an important portion of his country by hoarding a British Admiral, he thought that the end justified the means, and to take advantage is the true morality of war; the Yankee so played his part, and famously too.

General Morgan frequently observed. The very sight of my riflemen was always enough for a Hessian picket. They would scamper into their lines as if the d--d drove them, shouting in all the English they knew, Rebel in do bush! rebel in do bush!

The famed corps of Morgan was raised in the Shenandoah Valley and mountains of Virginia. The drum and fife, and even the Sergeant's hard dollars on the drum head, would not have enlisted a man of this corps. It was like the devotion of a Highland clan to its chief. Morgan was the chief; Morgan, with whom those hardy fellows had wrestled and fought and kicked up all sorts of dust for a long time. When Morgan cried, with his martial inspiration, Come, boys, who's for the camp before Cambridge, the mountaineers turned out to a man. Short was their "note of preparation." The blanket buckled to their backs, their baggage; a supply of food in their pouches, scanty as an Aborigine would take for a long march, their commissariat—they grasped their rifles, and strode away to the North, a band of giants, for the combats of Liberty.

The Americans may be said at this time to have no national costume—all is borrowed from abroad. They "order things" better in Scotland. There, the Gael adds to the martial habiliments of his an eagle, proud of their renowned recollections and legends of the peculiar colors of his tartan. Amid the cruel persecutions of the Forty five, was the prescription of the Highland costume; which is in truth the only relic of the ancient Roman dress. When British Ministry would proscribe it, the British Ministry would proscribe it. They hail with joy the phibition and those whose warriors have covered their arms with glory in every quarter of the world. From the time that the old Highland watch, the renowned "Fortie twa," first embarked for foreign service, down to the present hour, in every action where they have been engaged, in every quarter of the world, the friend and the foe have alike awarded glory to the Kilts. But suppose, for a moment, yielding to the "march of intellect," you disrobe Donald of his treads, and fit him with "braw breeks," in their stead—adieu, then, adieu to the magic influence of the soul stirring pipes; no longer will the awful cry of Clavmore drive him headlong into the ranks of the foe; and soon, very soon, would there be a farewell to the glories of the "Fortie twa."

And should not Americans feel proud of the garb, and hail it as National, in which their fathers endured such toil and privation, in the mighty struggle for Independence, which is associated with so many and imposing events of the Days of '76—the march across the frozen wilderness, the assault on Quebec, the triumphs of Saratoga and the King's Mountain? But a little while, and of a truth the Hunting Shirt, the venerable emblem of the Revolution, will have disappeared from among the Americans, and only to be found in museums, like ancient armor, exposed to the gaze of the curious.

### NOTICE.

At a meeting of the members of the Salisbury Vigilant Fire-Company—  
On motion of Fielding Slater, it was Resolved, That the Citizens of the Town be requested to meet at the Court House on the first Saturday in November next, to take into consideration the subject of instructing the members to the next Legislature, from the Borough of Salisbury, to have the law so amended that the Commissioners of the Town may be authorized to appropriate funds in the hands of their Treasurer for the purchase of a Fire-Engine. And that this notice be once inserted in each of the newspapers printed in Salisbury.  
JOHN H. HARDIE, Secretary.

Salisbury, Oct. 28.



## WESTERN CAROLINIAN

SALISBURY,  
MONDAY, OCTOBER 28, 1833.

### THE CONVENTION.

Our readers will find, on the first page of this paper, the proceedings of the Internal Improvement Convention which met at this place last week.

The utmost harmony prevailed in the Convention; and, although no specific scheme was recommended to the patronage of the Legislature, it is believed that there was great unanimity in favor of two projects—one from the West to the Cape Fear, and another to the Roanoke.

It was considered expedient, however, to recommend a general system, leaving it to the General Convention to be held in Raleigh, and to the Legislature, to designate particular schemes.

Mr. Henry, of Fayetteville, addressed the Convention, at considerable length, in favor of Internal Improvements generally, and advocated the proposition that the State should borrow money for such purposes. He read a number of documents exhibiting comparative statements of the cost of transportation upon different roads, canals, and rivers; by which he demonstrated that merchandise and produce were transported upon the Cape Fear at a lower rate than upon any other channel of trade in the United States. He likewise showed that the Cape Fear was as eminently distinguished for its safe navigation, for the rareness of injuries and accidents to boats and goods upon its waters, as for its cheapness.

His speech was dispassionate, and was delivered with his accustomed gracefulness and animation; and, though many were anxious to return to their homes, we believe few of the delegates, or of the audience in the gallery, regretted the time consumed by the speaker.

At the close of the Convention, when the resolution was passed complimentary to Governor Swain, His Excellency rose and delivered a highly patriotic, able, and interesting speech, in which he expressed his warm and cordial cooperation with the Convention, and his readiness to do all in his power to carry out its recommendations. He then retired, and the Convention adjourned.

We were much pleased at the good feeling that pervaded the Convention, and are more than ever convinced that an occasional meeting of gentlemen from various parts of the State would produce the happiest results.

Under existing circumstances, the Eastern and Western sections of the State are, for all practical purposes, alien to each other. While this state of things continues, we cannot hope to see North Carolina united and occupying that proud eminence which she might obtain by a well-directed and united effort. The only way to effect an object so desirable, is by increasing the intercourse between the different sections, which would necessarily produce more unity of interest and of feeling. Whether this end shall be ever attained, a short time will decide.

South Carolina on one side, and Virginia on the other, are intent upon the acquisition of a trade which they know how to appreciate, and which, if we suffer once to be diverted from our own markets, it will be difficult, if not impossible, to regain.

Believing that the destiny of our State depends, in a great measure, upon the early adoption and vigorous prosecution of a judicious system of Internal Improvements, we hope that the Legislature, at its ensuing session, will act with that degree of enlightened liberality which the exigency requires.

The third resolution reported by the Standing Committee in the Convention, was, at first, submitted by Mr. McQueen, of Chatham, embracing a proposition to connect the waters of the Deep and Yadkin Rivers, by means of a railroad; but, in its original form, it was rejected by the Committee, to conflict with its first resolution, which left the selection of all specific plans for the improvement of the State, to the wisdom of the approaching Convention, which is to meet in Raleigh; when Mr. McQueen consented to change the resolution so as to divest it of every feature of a local character.

The following resolution was intended to be introduced into the Convention which sat in this place last week, by Mr. E. L. Winslow, a Delegate from Fayetteville:

"Resolved, That the increasing identity of interest between the towns of Salisbury and Fayetteville, imperiously requires a corresponding extension of the facilities of mail transportation between the two places; and that, for the purpose of accomplishing an object so desirable, the members representing the respective districts of Salisbury and Fayetteville, in Congress, be earnestly requested to adopt such measures as will secure the establishment of a regular line of stages between the two places."

It is surprising that a direct line of Stages has never been established between this section of the State and its principal market-town—and the project of connecting them by a railroad having now become a favorite one with many of our citizens, both in Fayetteville and the West, a more direct and expeditious communication between them is more than ever desirable.

The resolution, we have no doubt, would have been unanimously sanctioned by the Convention, had not its introduction been prevented, by the rising of that body at an earlier day than was anticipated.

We understand that a petition will be presented to the Postmaster-General, from Fayetteville, and we hope another will be sent from this town, for the establishment of this line. If the Representatives of the two districts will lend their assistance in the matter, and we presume they will, the object can be effected, we think, without any difficulty.

THE CIRCULATING MEDIUM.  
The embarrassments consequent upon the rapid diminution of a circulating medium which was once redundant, are daily becoming more and more oppressive, and call upon the Legislature for relief, in a language which cannot be disregarded.

We were pleased at hearing a gentleman from Fayetteville say, a few days since, that the Bank of Cape Fear would probably apply to the Legislature for a renewal of its charter, and, perhaps, for an enlargement of its capital. This Bank sustains a well-merited reputation for fidelity and ability in the management of its concerns; and if it were enabled, by a renewal of its charter, to enlarge, instead of curtailing, (as it is now compelled to do,) its discounts, a much more speedy, and of course more efficient, relief would be thus afforded to the community, than could be derived from a new Bank.

Some time would be required to get a new Bank into operation; and, in the meantime, thousands of honest and useful citizens would become bankrupt, and tens of thousands be driven, by discouragements at home, to seek asylum in other States.

It is desirable and expedient, for another reason, that the Banking capital of the State should be increased at this time.

It would impart animation to our people, who are now too dispirited to engage in schemes of improvement, and would encourage many to subscribe liberally, who have ample and substantial resources that do not, in consequence of the scarcity of money, yield a sufficient annual surplus to enable them to meet instalments.

There are many wealthy planters who would take stock in rail-road schemes, if the facilities were afforded them of getting money without mortgaging that property the value of which it is their object to enhance.

Although, for the reasons assigned, we are particularly desirous that the charter of the Cape Fear Bank should be extended, still we would not have it thence inferred that we are opposed to the creation of any other institution of the kind. It may be the true policy of the State, not only to re-charter the Bank of Cape Fear, but also to establish another; and an apprehension of the still further diminution of our circulating medium, which will follow the demise of the United States Bank, [an occurrence by no means improbable,] would justify the Legislature in making timely provision for such an event, either by renewing the charter and enlarging the capital of one or more of the old Banks, or by the creation of a new one, or by doing both, as may seem most expedient, upon a view of all the circumstances.

At all events, we trust that something will be done, this winter, to obviate the constantly increasing distress of our people, who are the victims of a near-sighted policy, which they have borne with the patience of martyrs.

### POWER OF REMOVAL.

We refer our readers to an article from the New York Courier and Enquirer, on the subject of the Executive power over the different Departments.

It will be seen, from that article, which is composed chiefly of extracts from the Journals of the House of Representatives, that it was not intended to give the President the same degree of power over the Treasury as over the other Departments. And the wisdom of the House has rarely been more signally illustrated than it was on that occasion.

Upon turning to the debate which arose on the "President's power of removal," the following passages in a speech of Mr. Ellbridge Gerry, (subsequently Vice-President,) struck us as remarkably prophetic of events which we have witnessed recently:

"But what consequence may result from giving the President the absolute control over all officers? Among the rest, I presume he is to have an unlimited control over the officers of the Treasury. I think, if this is the case, you may as well give him at once the appropriation of the revenue: for of what use is it to make laws on this head, when the President, by looking at the officer, can make it his interest to break them? We may expect to see institutions arising under the control of the revenue and not of the law."

"Little then will it answer to say that we can impeach the President, when he can cover all his crimes by an application of the revenue to those who are to try him. This application would certainly be made in case of a corrupt President. And it is against corruption in him that we must endeavor to guard; not that we fear any thing from the virtuous character who now fills the Executive Chair. He is, perhaps, to be as trusted with such a power, than any man on earth; but it is to secure us against those who may hereafter obtrude themselves into power."

"But, if we give the President the power to remove, (though I contend, if the Constitution has not given it him, there is no power on the earth that can, except the People, by an alteration of the Constitution, though I will suppose it, for argument sake,) you virtually give him a considerable power over the appointment, independent of the Senate: for, if the Senate should reject his first nomination, which will probably be his favorite, he must continue to nominate until the Senate concur, then, immediately after the recess of the Senate, he may remove the officer, and introduce his own creature, as he has this power expressly, by the Constitution. The influence created by this circumstance, would prevent his removal from an office which he held by a temporary appointment from his patron."

Washington was then President.

### GEORGIA ELECTIONS.

Accounts from Georgia induce us to believe that Lumpkin has been re-elected Governor of that State. Returns have not been received from all the Counties, but those which have been heard from give Lumpkin a small majority, which it is supposed will be increased by the returns from the other Counties.

MARRIED, in this county, on the 17th inst., by Rev. Philip Pearson, Mr. ALEX. SPRINGS, formerly of Mecklenburg county, to Miss ELIZA, daughter of John March, Esq. of Iowa.

### PRICES CURRENT.

SALISBURY, Oct. 28, 1833.

Cotton, in seed,	10	3
do, clean,	10	3
Coffee,	10	3
Sugar, brown,	10	3
do, white,	10	3
Rice,	10	3
Nails,	10	3
Molasses,	10	3
Brandy, peach,	10	3
do, apple,	10	3
Peas,	10	3
Flour,	10	3
Wheat,	10	3
Rye,	10	3
Oats,	10	3
Corn,	10	3
Salt,	10	3
Butter,	10	3
Tallow,	10	3
Tabacco,	10	3
Whiskey,	10	3

FAYETTEVILLE, Oct. 22.

Peach brandy,	gal	5
Apple do	do	3
Rice,	lb	9
do, 10	do	10
Coffee,	lb	14
Cotton,	144	15
Corn,	bush	55
Flaxseed,	50	60
Flour, new	500	537
Peas,	35	36
Wheat,	4	4
Molasses,	gal	38
Nails, cut	63	63
Sugar, brown	10	1
do, lump	144	a
do, half	17	a
Salt, Liverpool	63	a
Wheat,	85	a
Whiskey,	32	a
Tabacco, leaf	lb	a
Wool,	20	a

### Western Carolinian.

JOHN BEARD, Jr., Editor and Proprietor.

### TERMS OF PUBLICATION.

THE "WESTERN CAROLINIAN" is published every Monday, at Two Dollars per annum in advance, or at Three Dollars per annum if paid for in three months after the subscription is commenced, or Two Dollars and Fifty Cents, if not paid until after the expiration of that period. No paper will be discontinued until all arrearages are paid, unless at the discretion of the Editor. No subscription will be received for a less time than one year, and a failure to notify the Editor of a wish to discontinue, at least one month before the expiration of a year's subscription, will be considered as a new engagement.

Any person who will procure six subscribers to the Carolinian, and take the trouble of collecting and transmitting the subscription price to the Editor, shall have a seventh copy without charge.

Advertisements conspicuously inserted, at the usual rates.

Letters by mail, addressed to the Editor, must in all cases be post paid, or they will not be attended to.

### NORTH-CAROLINA

### Temperance Almanac.

5000 COPIES OF THE NORTH-CAROLINA TEMPERANCE ALMANAC have been ordered, and are expected to be ready for delivery here by the 15th of November next.

This Almanac is a publication of 48 pages, containing an account of all the Courts, List of Members to the State Legislature, &c. &c., price 50 cents per dozen \$3 50 per 100 and \$5 per gross. A specimen may be seen at the Book Store of E. J. Hale, or W. Whitehead's Store. Orders to E. J. Hale, George McNeill, Jones Fuller, E. B. Drake, Williamson Whitehead, or James Hadlock, will be thankfully received.

Fayetteville, Oct. 27. 3-1

### THE SUBSCRIBERS

ARE NOW RECEIVING, IN PART, THEIR Fall Supplies

### Fancy & Staple Dry-Goods,

### Hardware and Cutlery.

Men's Fur and Wool HATS; Men's & Boys' Fur Caps; Leghorns & Duns; Men's and Women's coarse and fine SHOES; Boys' and Misses' Prunelle and Leather Shoes; Ready-made SADDLERY, of all descriptions; Cotton and Wool CARDS; Saddle Trees; Cotton and Worsted Webbing; Foolscap and Letter Paper; Baskets, Canton Blinds, &c. &c.

The whole of which are expected in the course of the present week, and which will comprise a great variety, and a much more general and extensive assortment, than heretofore kept by them.

They would invite the attention of their friends and the public generally to their present stock, flattering themselves they will be enabled to offer such inducements as will make it worthy the interest and the attention of dealers generally.

HALL & JOHNSON.  
Fayetteville, October 21, 1833. 3-1

### NEWSPAPER ACCOUNTS.

ALL persons indebted to the subscribers for subscriptions, advertising or job work are earnestly requested to settle the same. This is the first call of the kind I have made in three years, and I hope it will be attended to. Those living at a distance can transmit the amount of their subscriptions, prepaid, through the post-office at my risk. BURTON CRAIG, Salisbury, August 30th, 1833. 915

### NOTICE.

THE Subscriber having qualified as Executor of the Estate of Alexander R. Caldwell, deceased, gives notice to all persons having demands against said Estate to present them for payment within the time prescribed by act of Assembly, otherwise, they will be barred of recovery by the operation of said act. All persons indebted to said estate, are requested to come forward and pay, or secure their debts without delay.

E. S. CALDWELL, Executor.  
Davidson Co. 31 1833. 78 6m

Job Printing neatly executed.

### NOTICE.

THE NEW YORK & PHILADELPHIA

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## POETRY.

From the United States Catholic Miscellany.

### THE ANNIVERSARY.

"How can I Forget."

A year has lingered thro' its round  
Since thou wert with the dead;  
And yet my bosom's careless wound  
Still bleeds as then it bled—  
All now without is cold and calm,  
Yet o'er my heart its healing balm  
Oblivion will not shed;  
If day beguiles my fond regret,  
Night comes—and how can I forget!

For mute are then the sounds of mirth  
I loathe yet cannot flee;  
And those in solitude have birth  
That lead me back to thee.

By day amidst the busy herd,  
My soul is like the captive bird  
That struggles to be free;  
It longs to leave a world unblest—  
To flee away and be at rest—  
Best! how alas! should mortal dare  
Of rest on earth to dream?  
The heritage of ceaseless care,  
May better far be seen.

The child of sin—the heir of woe!—  
And what if mutual love may throw  
A joy—impacting beam  
O'er life wide waste?—Tis quickly gone,  
And we must wander on alone—

It was no charm of face or mein  
That linked my heart to thee;  
For many a fairer have I seen,  
And fairer yet may see—

'T was a strong though nameless spell  
Which seemed alone with thee to dwell,  
And this alone remains for me  
And will remain thy form is fled,  
But this can even recall the dead.

Thine image is before me now  
All angel as thou art;  
Thy gentle eye and guileless brow  
Are given on my heart—  
And when oft'er charms I gaze,  
Memory the loved form portrays—  
Ah would it were depart  
And thou alone be fair to me  
Who wake a livelier thought of thee.

Of to the fond familiar sound  
Is present to mine ear;  
I seem when all is hushed around,  
Thy thrilling voice to hear—  
Oh! I could dream thou still wert nigh,  
And turn as if to breathe reply;  
The waking—how severe!

The sense of utter loneliness.  
A year has passed—another year  
In wonted round may run;  
Yet earth will still be dark and drear,  
As when its course begun.

I would not murmur or repine—  
Yet, though a thousand joys were mine,  
I still must sigh for one;  
How could I think of her who died,  
And taste of joy from night beside?

Yet, dearest, though that treasured love  
Now casts a gloom on all;  
Thy spirit from its rest above,  
I would not now recall—  
My earthly doom thou canst not share,  
And I in solitude must bear  
What's mine may yet befall.  
But I can share thy home—thy heaven,  
All griefs forget, all guilt forgiven!

## VARIETY.

### LAUGHABLE INCIDENTS.

The Bel-Air Citizen gives the following laughable incidents on the descent of Mr. Durant, in his balloon at that place:

On the farm of Capt. W. N. S. Hays, very near this place, all the negroes, consisting of twelve or fifteen, were in a field at work. When Mr. Durant arrived immediately above them, he hailed them to ascertain if the town in sight was Bel-Air. The sounds terribly startled them, not knowing from whence they came; and when they saw, far above the earth, the "questionable shape," they all took to their heels leaving every working implement to the mercy of any but themselves. When they arrived at the quarter, it is said the door was fastened, which they immediately burst open, and in they went, one over the other, each trying by all means to make sure his escape from the devil.

A black man who was cutting wood near the village, immediately on seeing the dreadful messenger, as he thought it, dropped his axe, and although a quarter of a mile from home—the balloon being about the same distance from the village—arrived before the strange visitor.

A black woman, in the village, who was just going home from the pump, with a bucket of water on her head, is said to have dropped her bucket of water and all, and made "streaks" for home "a little the quickest," screaming "Murder! Murder!" the highest pitch of her lungs.

A hint for Brides—A few days since a couple went to Thomas church to be married. The ceremony was

usual very well until it came to these words, "With this ring I thee wed," when the bride essaying to take off her maiden hand for the purpose of putting on the ring, with some agitation or heat, nervousness or perspiration, the leather clung to her hand like man and wife ought to do, and would not part company. The bride blushed and pulled, but in vain. The bridegroom (bold man) laughed outright; so did the father, so did the mother, so did the bride's maids, so did all the spectators except the clergyman, and he (the Rev. Mr. Lee), exclaimed, "I don't come here to be laughed at," and shutting his book, left the ceremony half finished, the bride half-married, and the glove half off. We add, for the satisfaction of the sympathisers that the bride went to church next day with her hand uncovered and the nuptial knot was then tied "as tight as a glove." *Bucks Herald.*

**Domestic Yeast.**—Persons who are in the habit of making domestic bread, cake, &c. can easily manufacture either yeast, by attending to the following direction: Boil one pound of good flour, a quarter of a pound of brown sugar, and a little salt, in two gallons of water, for one hour. When milk warm, bottle it and cork it close. It will be fit for use in 24 hours.—One pint of yeast will make 18 lbs. of bread.

### INDUSTRY & PERSEVERANCE.

That—"Industry and perseverance will overcome every obstacle" should be a motto for young persons, especially, who are ambitious to pursue an active and useful life. It is necessary in the attainment of an object not only to be industrious while actually engaged in it but to continue such exertions until the goal is reached. We might mention an hundred instances which have come under our observation where persons, apparently the most laborious of beings, have yet failed in every thing they have undertaken. The simple reason was they did not possess energy of mind sufficient to carry them to the end of an object—but frightened by the obstacles that started up in their path, and which to them appeared insurmountable, they relinquished their undertaking and commenced something else which in time shared the fate of the former.

To attain a difficult object you must not only be industrious while employed in it, but you must persevere until it is fully accomplished. It is necessary in youth, it is necessary in every period—in every station of life. We might multiply examples without number. What was it that raised Franklin from a poor printer's boy to be the first philosopher of the age?—Industry and perseverance. What made Sherman, who, at the age of twenty-eight was a journeyman shoemaker, and could not even read,—what made him a distinguished lawyer and statesman?—Industry and perseverance. What made Ferguson the greatest astronomer of his time in England,—who started in life as a poor, unnoticed shepherd's boy?—Industry and perseverance. And why, did West who attended his father's inn in the country, and amused himself with drawing the faces of his customers in charcoal—why did he become the greatest painter of modern times? He was industrious and he persevered in it. In short, what man has ever made himself distinguished with industry and perseverance. Their examples should stimulate us to exertion.

### Y. COMP.

From the Norfolk Herald, Oct. 11.

**Atrocious Murder.**—A most brutal and wanton act of homicide was perpetrated on Tuesday night last, at Pasquotank County, (N. C.) by a man named Mark Jones on Mr. James Williams, a respectable farmer of that county residing in the neighborhood of River Bridge. There had been at Mr. Williams during the day, a gathering of his neighbors to assist him in some work he had in hand, and Jones, who was one of the party, attempted to pick a quarrel with Mr. W. because he corrected one of his own servants. Some words passed between them but nothing more, though Jones continued in a very sullen mood towards Mr. W. during the remainder of the day, to which he gave vent at night after all the rest of the company had departed, by a torrent of abusive and insulting language directed at Mr. Williams. The latter, highly provoked, ordered Jones to quit his house, and with a view of getting rid of him, opened the door, and peremptorily ordered him out of it. Jones, it seems, made no resistance, but in passing Mr. Williams to go out, drew a long knife and plunged it into Mr. W.'s right side and then ran off. Mr. Williams survived only a few hours. Jones had not been heard of when our informant left the neighborhood. He is a young man of three or four and twenty, of low stature and pale complexion.

From the New York Daily Advertiser.

### MAJOR DOWNING'S CLINCHER.

Published by Authority.

Washington, 26th Sept. 1833.

I, Major J. Downing, of the 2d Brigade of Downingville Militia, a second beat man in the Government, (I and the General being pretty much the hull on 't,) thinks that the last Proclamation of Biddle and the Bank has not got reasons enough in it—give out this my Proclamation by way of a Clincher.

The times are now getting pretty squally, and if we don't look out sharp things will go to smash, and now is the time for all on you to back me and the General. We have been now eight up n five years at work, knockin' down abuses, and still things do'n't go exactly to our notion. We have taken away all the offices from the oppositi n folks; still some on em manage to git money to live on some where else.—We have taken away the printing from them, and gin it all to our folks; still they keep up printing their papers, and we cant manage to choke them off no how, but they will keep jawin and twittin on us; they wont print none of our notices, but keep all the while writin and printin their own, and try to make folks think that Webster and M. Duffly and Adams, and Sargent, and Clay, and Binny, and Everet, and Gallatin, and a raft more of su n kinder fellows, know more than M. Van Buren, Mr. Kendle, Mr. Canibrelling, and M. Jor Barry, and such good friends of our'n, and all as true as steel too. But I and the General have to nd out all about it.

**Biddle and the Bank are the varments**—and if they are not put down here is no tellin the harm they'll do us. Biddle's Bank aint like other Banks—ev'ry thing it does goes pretty much agin us; and most of the other Banks do all they can to help us.—There is one at Albany called the Regency Bank; now that is the right kind of bank, it loans money only to our friends, and gits its thumb on all the Banks it can, and makes them do so too; and if they don't they put the screws on em—and that's the reason why our folks are so strong in Albany; and if the United States Bank was managed like the Regency Bank, we would all on us be much better off. And what was the United States Bank made for? Didnt Mr. Madison, & Mr. Monroe, and M. Adams, when they were Presidents, jst go into it whenever they pleased, and shovel out the money to their friends, and the oppositi n folks didnt git one cent; and now Biddle's General Jackson is President and who has done more for the country than all the Presidents and Generals and Commodores, and the whole bunch on em ever did, when he wants to do a trifle for his friends in the same way, they wont let him—well then, says he, I'm the Government, and I want my money; and then they turn and print books and speeches, saying the General aint the Government; and try to make folks think the Secretary of the Treasury and Congress, and not the General has the right to take away the money.—N w the General dont care no more for Congress than he does for the Secretary of the Treasury, and he'll save them just as he has him. We dont wnt them, they only make trouble, unless they do jst as we tell em. We want money and must have it. Some of our folks who have been working hard for us hain't got any, and we have got no more offices to give em.

The rich folks have pretty much all the money, but as we can out vote'em they ought to shell out—and that's pretty much Mr. Van Buren's notion too. And his notion is too, that there ought to be a convention to nominate a President, jst like that one a spell ago in Baltimore. One man is enof for each state, any get the right one, and then vote by majority, jst as George Creamer did when he gave six and thirty votes for old Pennsylvania. It wont do to wait too long—its only three years more afore we shall want another President, and we ought to spring to it now jst as the General says about the Bank—that's got only three years more to run, and he is afraid it cant wind up safely by that time, as it can now; and he's going to give it a twist on 1st October—and we mean to follow it up till we knock it all to bits unless Biddle resigns, and if he does, the General says he'll make me President of the Bank, and give it a new charter, and then we'll git all our folks in and make things go better there.

There is no use in Congress or any body else to try and corner the General—he has thrashed double there number afore this, and if they do try to drive him in a corner, it will turn out jst like a skunkin frolic—the former dog will get the worst of it.

By order of the Government,  
J. DOWNING, Major,  
Downingville Militia, 2d Brigade.

From the Lexington (Va.) Union, Oct. 12.

### MELANCHOLY OCCURRENCE.

Mr. JOHN SHELLEY, originally from the county of Augusta, and for the

last 12 months of his place, on last Friday, he put his throat with a razor. He gave himself two distinct gashes, nearly an inch apart, severing the wind-pipe. He lingered under the influence of the wound and a bodily and mental disease until the morning of Thursday last, when, from their combined action, he died. Mr. Shelley was for many months in wretched health—which, together with a naturally melancholy temperament, produced a depression of spirits which resulted in mental alienation,—and in which condition he perpetrated the fact at which our nature shudders. He was about 23 years of age—a cabinet-maker by trade, in the employment of Mr. Rockwood of this place. Mr. S. was a young man of mild and gentle manners—industrious in his habits, and free from any of those vices which debase or dishonor the human character.

## VALUABLE PROPERTY FOR SALE.

I AM desirous of disposing of my establishment, (OLD POINT COMFORT) in the Town of Salisbury, North Carolina, which has been kept by me as a house of

## Entertainment.

For the last fifteen years; and well known as one of the best stands for that purpose, in the Western part of North Carolina. It is conveniently situated, on the main Street, between the Court-House and the State Bank. The lot has a front on Corbin street, of 100 feet, and runs back to the street in the rear. The house is large, containing 20 rooms—a large Dining room, a parlour, a common hall, or reading room, and a bar-room. The stables are sufficient for 60 horses, with Granaries, Carriage house, &c. Over and above the other buildings, which conduce to the comfort and convenience of such an establishment, is a Brick Kitchen, Wash-house, Oven, Ice-house, and two Wells; out of one, the water is conveyed by pipes under the ground to the Stable. The pantry, kitchen, and wash-house are well arranged under the same roof with the main building, which renders it very convenient to the Land-Lady.

With the above property, I would also sell 2 or 3 unimproved lots, convenient to the premises.—All of which, will be disposed of on accommodating terms, with, or without the furniture.

At present, there are three Stages that stop at this establishment.—A line three times a week, to and from Raleigh direct, through Randolph, to the Piedmont line, North and South, 1 times a week, and a line from this place to Statesville, W. H. H. SLAUGHTER.

Salisbury N. C. Sept. 13, 1833.

The Register, at Raleigh, will please insert the above advertisement six times, and forward the account to the subscriber at Salisbury.

## Head Quarters.

Salisbury, September 5th.

### The Officers

OF the 63d Regiment of NORTH-CAROLINA MILITIA, are hereby commanded to appear at the Court-House in Salisbury, on Wednesday the 30th October next, at 10 o'clock, A. M. with side arms, for drill; and, also, at 9 o'clock the next day, with their respective companies, for review.

By order of the Colonel,  
394 B. CRAIGE, Adj.

## NOTICE.

RUNAWAY from the subscriber on the 13th inst, a bright mulatto man, named

GEORGE, who is remarkably arifal and will probably endeavor to pass as a free man. He had when he left two suits of fine homespun

Jenna, one black filled with wool, the other nearly a pale stuff color. He is about thirty years of age, about six feet high, inclined to be knockkneed, flat footed, his toes turn out, much more than common,—his voice strong, and bold countenance. I will give a reward of twenty five dollars to any person who will apprehend said boy, & confine him in any Jail out of the county, so that I will be enabled to get him again, any intelligence respecting the said boy will be thankfully received by me, directed to Pocket Creek Post Office, More County, N. C. DUNCAN MURCHISON. September 13th, 1833. 6-99

## Attention!

### Rowan Troopers,

YOU are hereby commanded to parade in the Town of Salisbury, on Thursday the 31st October next, at 10 o'clock A. M. equipped in the uniform of the Troop. Absentees may rest assured that the law will be strictly enforced.

By order of the Captain,  
8-99 JAS. OWENS, O. S.

## NOTICE.

WE hereby caution all persons against strading with James Cranford for two notes, for \$30 each, and dated Sept. 28th, 1833; one of said notes drawn in favor of Francis Johnson, and signed by James Cranford, Burgess Cranford, Thomas Gowens, Thomas Ennis and Alfred Cox. The other signed by James Cranford, Thomas Gowens and Alfred Cox, payable to Wm. Thomason 3 months after date. The said notes were unfairly obtained by said Cranford without any consideration whatever and will not be paid.

ALFRED COX,  
BURGESS CRANFORD,  
THOMAS GOWENS,  
THOMAS ENNIS.

Sept. 30, 1833. 3-98

## RAIL-ROAD CONVEYANCE.

ON MONDAY, the 16th instant, PASSENGERS & FREIGHT Will be conveyed on the Rail-Road between Charleston and Aiken. AIKEN is 120 miles from Charleston, about 20 miles from Edgefield Court House, and 16 from Augusta, Georgia, and within half a mile from the inclined Plane, and the same distance from the celebrated COKEA SPRINGS.

Passengers will be carried all the way to HAMBURG, S. C. on the R. Road, except a portorage of about one mile at the Inclined Plane.

The following papers will please insert the above 6 times, and send their bills for payment to the Patriot Office—Camden Journal, Columbia Times & Star Gazette, Edgefield Carolinian, Abbeville Whig, Greenville Mountaineer, Pendleton Messenger, Yorkville Patriot, Lancaster Beacon, Columbia Hive, Augusta Constitutionalist, Athens Banner, Milledgeville Federal Union, Nashville Banner, Huntsville Democrat, Planters' Gazette, Montgomery, Alabama, Mobile Com. Register, New Orleans Courier.

Charleston, Sept. 6. 6-99

## A List of Letters

REMAINING in the Post Office at Lincoln, N. C. on the 1st of Oct. 1833.

Levi N. Alexander	John Johnson
John Armstrong	Lawson Leonard
Col. Allen	Eliza A. Lorraine
Matthew Armstrong	George Lutz
Elijah Abernathy	G. A. Miller
Catharine Bevings	Maj. John Michael
Eliza Bevings	Lavenia M'Pherson
Aaron Bungam	Rev. D. G. M'Daniel
Abel Black	Joseph L. Moring
Randolph Barnett	George Money 3
Catharine Bollinger	Rev. Angus M'Allen
Casper Brinkley	John Moody
Ephraim A. Brevard	Eschiel McDaniel
A. J. M. Brevard 2	W. W. Nolanda
Capt. E. A. Brevard	Mary Ormond, sr.
John Cline	Obadiah 2
Andrew Clifton	Reb. Perkins
Henry Carpenter	J. S. Quinby
Samuel Connor	T. George Ritter
The Clerk of the Court	Jacob Reinhardt 2
Elisha Calloway	H. H. Rholds
John C. Cobb	Wm. Sumney
Sarah Dellinger	Enos Sherrill
Joshua Daniel	Daniel or Jeremiah 2
Martin Dellinger	Smith
John A. Dillinger	David Shierman
Peter Eaker, or	John Sifford
John Kis	J. Seash
Joseph Foster	A. A. Springs
Michael Goodson	Samuel Sullivan
Mary H. H. Goodwyn	Mat. Stroup
Robert W. Gill	Jacob Sumney
Alexander Gabriel	Thomas Sarvis
Abner Goodson	Wm. A. Tisdale
Robt. H. Haynes	Eliza Shale
Noah Hunt	Asa Taylor
John Huggins	Nao Good Broad Taylor
John Hays	J. Wier 2
Major Hull	J. Wilent
Rev. G. W. Huggins 4	Rev. P. H. Wiley
Andrew Helton	Sarah Woods
Turner Harris	Samuel Wilson
Joshua Howell	M. L. Whitesides
Rev. Jacob Hill	J. White Jr.
Reuben Hoyle	Asa Wailick and 2
Moses or Josh. Hearn	George Seitz
P. Henderson	David Whitehead
Wm. Heiger	Gco. Wacaster
Levin Hurt	Mr. Wheeler
Dott G. W. Juson	
Rev. Bishop Ives	

## New Tailor Shop

IN LEXINGTON N. C.

### Mr. Theophilus M. Simpson

MOST respectfully informs his friends, & the public at large, that he is now carrying on the Tailoring Business, in all its various branches in the town of Lexington, N. C. in the shop East of the Court House, formerly occupied by P. Fowler.

He regularly receives the latest New York and Philadelphia fashions, which will enable him to make any gentleman

A fashionable suit of Clothes, on short notice, and in a superior style of workmanship. He hopes by assiduous attention to business to merit a share of public patronage.

April 12, 1833. 7-11

## NEW BINDERY.

WITH a view to the more efficient prosecution of their business, the Subscribers have established a

## BOOK-BINDERY.

Having procured the best Materials from the North, and employed a Workman who comes well recommended, they are prepared to execute on moderate terms, all orders in this line.

Account Books, Records, &c. ruled and made to order; and every kind of Binding promptly executed in the best and neatest manner, on reasonable terms.

36-1 J. GALES & SON.

Raleigh Aug

## Jesse Harris' Estate.

THE subscriber having qualified, at August Term, 1833, of Davidson County Court, as Executor of the last will and testament of Jesse Harris, sen. late of said County, dec'd., hereby gives notice to all persons having demands against the estate, to present them duly authenticated according to law, or this notice will be plead in bar of their recovery. All persons indebted are desired to make payment immediately.

B. HARRISS.  
C. M. HARRISS.  
W. HARRISS.

August 22d, 1833. 3-1704

## FOR SALE.

INTENDING to remove to the West, I offer for sale, on accommodation, the place where I now live, consisting of a good dwelling house, a convenient house for an

## OFFICE.

or shop, and other necessary buildings. Also several other lots in Town.

All persons indebted to me, are requested to settle before the first of January next, or they will find their papers in the hands of an officer; and those I am requested to call, as I am ready at any time to pay them.

The business of my shop will be carried on until I leave here.

12-108 JOHN UTZMAN.

Salisbury, Oct. 14, 1833.

## State of North-Carolina,

LINCOLN COUNTY.

## NOTICE

ES hereby given to Molly Whitner, one of the heirs of John Mull, dec'd., that there is now in my hands sixteen dollars, which is due to her, as one of the heirs of said John Mull. Said Molly Whitner is, therefore, hereby requested to come forward and claim said money within the time prescribed by law, otherwise I will dispose of it as the law directs.

H. W. ROBINSON, Exr.

July 24th 1833. 88-30

## PROSPECTUS

OF

## THE EXAMINER

AND

## JOURNAL OF POLITICAL ECONOMY.

1. This paper is published on the first and third Wednesdays of every month, on a super-royal sheet of 16 pages octavo, corresponding in size with the FARMER'S ADVOCATE. (the proprietor of the Banner of the Constitution,) and containing in the year with an index, a volume of 200 pages.

2. It is purely political, but in part miscellaneuous, its design being to discriminate the great principles of Constitutional Liberty, and to assist in drawing men's minds from the worship of their fellows to an acquaintance with the nature of their government.

3. It will be open to the examination of all political questions of a general nature, and will communicate to the people of the North the political movements of the South, and to those of the South the political movements of the North.

4. It will advocate the Republican doctrine of '98, as set forth in the Virginia and Kentucky resolutions, and as maintained by Jefferson, Madison, McKean, and the other distinguished champions of States Rights and States Rights men. It will also recognize the most important documents and State Papers connected with the proceedings of South Carolina, so as to preserve a complete history of the times, for the future reference of politicians and statesmen.

5. The principles of Free Trade will be maintained, and the effects of the tariff on the public mind, and on the agricultural and manufacturing interests, will be explained, and every effort will be made to re-establish the restrictive system.

6. The impolicy and unconstitutionality of appropriations for works of internal improvement by the Federal Government, will be maintained, and all attempts to encroach on the rights of the States by that Government, will be resented, from whatever party they may emanate, and especially will its interference with the peculiar domestic policy of the Southern States, should they unhappily be attempted, be denounced as a violation of the Federal compact.

7. It will oppose monopolies, special privileges, and sinecures of every description, interfering with the equality of rights, and which our institutions are founded, and will be emphatically the advocate of a Censor Government.

8. It will also be opposed to man-worship, to the worship of republics, and it will expose the errors and delusions of principle in public men, and whatever party they may profess to follow. These, however, will be done in a manner which will not degrade the press, and upon no occasion will the columns of the Examiner be the vehicle of scurrility or vulgar personal abuse.

## TERMS:

1. The price of the paper is, per annum, payable in all cases in advance as follows:

For single copy, \$1 50  
For 4 copies, paid for at the same time by that number of subscribers, \$5.  
For 12 copies, paid for at the same time by that number of subscribers, \$15.

For 100 copies, paid for in the same manner, \$10, equal per copy to 1 50.

2. Each remittance will be considered as a distinct transaction, and every subscription will be discontinued at the end of the year paid for, unless renewed by a second payment. By this means, subscribers may withdraw without incurring the expense of postage in giving notice of withdrawal, and the trouble of furnishing receipts will be avoided inasmuch as the transmission of the paper will be of itself evidence of having been paid for.

3. No subscription for less than a year will be received, and in all cases where money is remitted, it will be considered, unless otherwise expressed, in payment of the current volume, and the back Nos. will accordingly be forwarded. Provided, however, that this stipulation to furnish the back Nos. shall not continue after the number on hand shall have been exhausted, which we shall give due notice.

4. All postages must be paid, except upon letters containing five dollars in a single one, or any larger sum; but the risk of misdirection by the mail is assumed by the publisher.